

**MEMORANDUM OF UNDERSTANDING**  
**The Rhode Island Department of Education and**  
**Department of Human Services/Office of Rehabilitation Services**

**I: Purpose**

The Memorandum of Understanding (MOU) represents a vision of collaboration between The Rhode Island Department of Education (RIDE) and Department of Human Services/Office of Rehabilitation Services (DHS/ORS) that will effect the successful transition of students with disabilities from school into vocational rehabilitation services for the purpose of achieving a successful employment outcome. The MOU will be coordinated with other cooperative agreements and the policies and procedures of the RIDE and DHS/ORS. The MOU is not a financial agreement; however roles and responsibilities, including financial responsibilities, of RIDE and DHS/ORS are identified in the MOU.

Title IV of the Workforce Investment Act of 1998, which amends the Rehabilitation Act, describes the minimum requirements for a Memorandum of Understanding as:

1. Consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
2. Transition planning by personnel of the designated State agency and educational agency personnel for students with disabilities that facilitates the development and completion of their individualized education programs under section 614 (d) of the Individuals with Disabilities Education Act (as added by section 101 of Public Law 105-17);
3. The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services;
4. Procedures for outreach to and identification of students with disabilities who need the transition services.

**II: Time of Performance/ Duration**

The duration of the Rhode Island Department of Education (RIDE) and Department of Human Services/Office of Rehabilitation Services (DHS/ORS) Memorandum of Understanding (MOU) is from October 1, 2004 to September 30, 2009.

The MOU will be reviewed on an annual basis including a review by the State Rehabilitation Council and State Special Education Advisory Committee.

The MOU can be amended and/or extended in writing with the agreement of both parties.

The MOU may be terminated according to standards described in the Administrative Procedures Act.

### **III. Guiding Principles of the Memorandum of Understanding (MOU)**

RIDE and DHS/ORS have established a common set of principals to guide the implementation of the MOU. These are presented as a set of common expectations for the execution of the MOU.

#### Common Expectations

- Students will be provided support in mastering the self determination and self advocacy skills necessary to direct their own future.
- Planning for both education and vocational rehabilitation services will be guided by students,
- Students will be provided opportunities to develop skills necessary to exercise informed choice.
- Education and vocational rehabilitation services will be provided to students in the most natural setting for the skills being developed.
- Students will become increasingly self directed as they transition from school to adult life.
- Students will be knowledgeable about supports and services available and how to access them.
- Students will become gainfully employed in occupations with career options.

It is the intention of RIDE and DHS/ORS to develop effective transition practices in partnership with all public agencies and local education agencies (LEA) engaged in the transition process to achieve these common expectations.

### **IV. Interagency Coordination and Collaboration**

#### **1. Interagency Consultation & Technical Assistance**

- a) DHS/ORS Administrator and the RIDE Director of the Office of Special Populations will assign a representative to the RI Transition Council and commit available resources to support technical assistance and consultation activities.
- b) RIDE and DHS/ORS will share agency expertise with the RI Transition Council and partner agencies for consultation.
- c) The RI Transition Council will provide oversight and guidance for the development of statewide training.
- d) RIDE and DHS/ORS will utilize needs assessment information generated by the RI Transition Council and from other partner agencies to establish training interventions.
- e) RIDE and DHS/ORS will coordinate training programs for local education agency (LEA) personnel, DHS/ORS staff, students, parents and other transition partners (e.g. RI Transition Council, employers, Community Rehabilitation Programs, etc.) related to effective transition practices and services.
- f) RIDE and DHS/ORS will provide an annual schedule of professional development activities conducted by each agency or will notify all RI Transition Council partner agencies of new programs as they are developed.
- g) RIDE and DHS/ORS program evaluations will be shared with the RI Transition Council for synthesis and recommendations of training needs.
- h) RIDE and DHS/ORS materials, brochures, guides, etc. will be provided to the RI Transition Council for comment.

## 2. Interagency Coordination in Student Centered Transition Planning

- a) DHS/ORS will assign a Rehabilitation Counselor to each comprehensive high school in the state. The list of assigned counselors will be made public and included in RIDE and DHS/ORS promotional materials.
- b) Assigned counselors will maintain a schedule indicating when they will be available in the assigned schools and convey this schedule to appropriate local education agency personnel.
- c) Assigned counselors will make every attempt to attend Individual Education Program (IEP) meetings for DHS/ORS eligible students expecting to graduate in two years or less.
- d) Assigned counselors will also make efforts to attend meetings and events at assigned schools to share information about the DHS/ORS with students, parents and school personnel.
- e) Eligible student's Individualized Plan for Employment (IPE) will be developed in coordination with the IEP for each student no later than the senior (or graduating) year.
- f) Local education agencies through, the high school department chair or designee, will provide a schedule of IEP meetings for DHS/ORS eligible students to the assigned counselor no less than one month prior to the IEP meeting.
- g) Local education agency personnel will make every effort to schedule IEP meetings for eligible students to include the participation of the assigned counselor. If the assigned counselor is unable to attend the meeting, the school personnel, student and parent will have a discussion to provide vocational rehabilitation related information for the IEP.
- h) Mechanisms to monitor the implementation of this section of the MOU will be included in the RIDE School Support Monitoring process and periodic review by the DHS/ORS Transition Coordinator.

## 3. Interagency Roles and Responsibilities

- a) Lead agencies in executing this MOU are as follows:
  - RIDE is responsible for the implementation and compliance of Local Education Agencies with the Individuals with Disabilities Education Act (IDEA) and all Rhode Island education laws and regulations.
  - DHS/ORS is responsible for the implementation and compliance of Title IV of the Workforce Investment Act and all related Rhode Island laws and regulations.
- b) Qualified Personnel
  - All personnel assigned to responsibilities described in this MOU will comply with the certification requirements of the respective lead agencies.
- c) Agency Responsibilities
  - Appendix I includes a matrix of the primary, shared and minimal responsibilities of the RIDE and DHS/ORS for the delivery of transition related services for DHS/ORS eligible students in transition.
- d) Policy Development
  - RIDE and DHS/ORS will utilize the RI Transition Council as a venue for developing transition-related policies in the respective agencies. RIDE and DHS/ORS will follow their own agency's policies for the review and development of policies including the review of the State Rehabilitation Council and the Special Education Advisory Committee.
  - RIDE and DHS/ORS will notify each other when new policies are in development or of policies that are being revised, to encourage collaboration in policy development related to transition.

- RIDE and DHS/ORS contracts related to the provision of transition services will be jointly developed and reviewed to the greatest extent possible.
- e) Program Evaluation
  - RIDE and DHS/ORS will share the definition of each agency's data collection system and seek opportunities to crosswalk data.
  - Contracts jointly developed by RIDE and DHS/ORS will include collaboratively developed program evaluation data and protocols.
  - RIDE and DHS/ORS will jointly participate in third party monitoring activities of the respective agencies programs.
  - Results from RIDE and DHS/ORS program evaluations will be shared with the RI Transition Council.

#### 4. Outreach

- a) RIDE and DHS/ORS will attempt to coordinate all outreach activities to ensure that all eligible students are identified before graduation from high school. RIDE and DHS/ORS will:
  - Utilize existing RIDE census data to aid in the identification of possible eligible students.
  - Collaboratively develop service delivery mechanisms to improve the positioning of vocational rehabilitation services in school counseling (career guidance), school to career activities, career and technical education and other career development initiatives in Rhode Island high schools.
  - Ensure DHS/ORS collateral materials are available in all schools.
  - Ensure DHS/ORS counselors are informed of outreach opportunities in high schools to connect with eligible students and parents.

### **IV: Confidentiality**

Personal information about any individual student or family will not be shared between RIDE and DHS/ORS without a release signed by the student (if 18 or over) or the parent or guardian when appropriate. Program evaluation reports and other data reports will include aggregates of data rather than information about specific individuals. Specific information will not be included in public reports unless there is a specific signed release.

### **V: Process for Resolving Disagreements**

#### 1. Administrative Consultation

- When RIDE and DHS/ORS cannot resolve disputes related to the implementation of the MOU or the delivery of services, the Administrator of DHS/ORS and the Director of the RIDE Office of Special Populations will review the dispute and determine together if resolution can be accomplished.
- The Administrator of DHS/ORS and the Director of the RIDE Office of Special Populations will review the dispute related to the statutory obligations of each agency.
- The Administrator of DHS/ORS and the Director of the RIDE Office of Special Populations will render a decision and inform all parties of the result and, if necessary, amend the MOU or other agreements or policies.
- If the dispute is not resolvable at the Administrator of DHS/ORS and the Director of the RIDE Office of Special Populations level, the dispute will be reviewed with

the Director of the Department of Human Services and the Commissioner of Elementary and Secondary Education.


## 2. Mediation

- In the event of an unresolved dispute, the matter may be referred for mediation if both parties agree to mediation.
- A mediator acceptable to all parties shall be designated and mediation attempted.
- RIDE and DHS/ORS will equally share the costs of the mediation.


## 3. Arbitration

- Should mediation be unsuccessful in resolving the dispute, the parties may proceed to arbitration. If a matter, which has been mediated, proceeds to arbitration, all communications and deliberations related to the attempted mediation shall not be admissible in the arbitration.
- Arbitration through the American Arbitration Association is binding.
- The rules and regulations of the American Arbitration Association that are in effect shall apply.
- RIDE and DHS/ORS will share the cost of arbitration equally.

This agreement will take effect with the signatures of the Commissioner of the Rhode Island Department of Elementary and Secondary Education and the Director of the Department of Human Services.

By:   
Peter McWalters  
Commissioner, Elementary & Secondary Education

Date: 10/29/04

By:   
Ronald A. Lebel  
Acting Director, Department of Human Services (DHS)

Date: 11/29/04

## **VI: Collaborative Services Chart**

The Collaborative Services Chart is intended to assist students, parents, school personnel and public and private adult service agency personnel in identifying responsibilities for the effective coordination and delivery of transition services for students. The Rhode Island Department of Education (RIDE) and the Department of Human Services/Office of Rehabilitation Services (DHS/ORS) have identified services on the chart that would fall under the responsibility of DHS/ORS, Local Education Agencies and/or other adult service agencies. All of the obligations identified on the chart are in accordance with state and federal laws and regulations.

The Collaborative Services Chart is intended to enhance the transition planning process and by no means replaces effective transition planning practice.

The Collaborative Services Chart is divided into 5 categories:

- Assessment Activities
- Career Development Services
- Community Living Services
- Related Services
- Auxiliary Aides.

Each table identifies the services in each category as they are defined in education and rehabilitation technology and which agency would be primarily responsible.

## Assessment Services

<b>ASSESSMENTS</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Functional Math/Reading/Written Expression	Primary	Minimum	Minimum
Adaptive Behavior	Primary	Minimum	Minimum
Sensory (Hearing & Vision)	Primary	Minimum	Minimum
Speech & Language	Primary	Minimum	Minimum
Community Living Skills	Primary	Minimum	Shared (i.e. MHRH/DDD, etc.)
Personal Care Attendant	Minimal	Primary	Shared (i.e. MHRH/DDD, etc.)
Functional Vocational Evaluation	Shared	Shared	Shared
SSI/SSDI Eligibility	Minimal	Minimal	Primary (i.e. DHS/DDS, SSA, etc.)
Social History	Primary	Minimal	Minimal
Specialty Medical Evaluation Prior to Graduation) (i.e. orthopedic, emotional, opthamological, etc.)	Primary	Minimal	Shared (i.e. Medical provider)

<b>ASSESSMENT ACTIVITIES</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Special Medical Services (Post Graduation)	Minimal	Primary	Shared (medical provider)
Occupational Therapy/Physical Therapy (Prior to Graduation)	Primary	Minimal	Minimal
Occupational Therapy/Physical Therapy (Post Graduation)	Minimal	Primary	Shared (i.e. MHRH, etc.)
Drivers Education	Primary	Minimal	Minimal
Adaptive Driving Evaluation	Minimal	Primary	Minimal
Educational Evaluation	Primary	Minimal	



## Career Development Services

<b>CAREER DEVELOPMENT SERVICES</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
<u>Career Exploration</u> <ul style="list-style-type: none"> <li>- Career Counseling</li> <li>- Guest Speakers</li> <li>- Tours of Businesses</li> <li>- Job Shadowing</li> <li>- School Based Enterprises</li> <li>- Service Learning</li> <li>- Job Fairs</li> <li>- Career Clubs/Organizations (i.e. FFA, DECA, etc.)</li> </ul>	Primary	Minimal	Shared (i.e. employers, Chamber of Commerce, etc.)
<u>Career Development</u> <ul style="list-style-type: none"> <li>- Internship/Apprenticeship</li> <li>- Work-Based Learning Experience</li> <li>- Specific Occupational Skills Training</li> </ul>	Primary	Shared	Shared
Work-Based Situational Assessment	Shared	Shared	Shared
Job Seeking Skills Training (Prior to Graduation)	Primary	Minimal	Minimal
Job Seeking Skills Training (Post Graduation)	Minimal	Primary	Shared
Job Placement Services	Minimal	Primary	Shared (i.e. MHRH, Network RI, DLT, etc.)

<b>CAREER DEVELOPMENT SERVICES</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Supported Employment Initial Placement & Training	Minimal	Primary	Shared
Supported Employment On-going Support	Minimal	Shared	Primary (i.e. MHRH, etc.)
Post-Employment Services	Minimal	Shared	Shared
Job Coaching – Time Limited	Minimal	Primary	Shared
Job Coaching – Outgoing	Minimal	Shared	Primary
Post-Secondary Education & Training Preparation	Primary	Minimal	Minimal
Post-Secondary Education & Training Planning For	Shared	Shared	Shared (i.e. RI Office of Higher Education, etc.
Post-Secondary Education & Training Financial Aid Information	Shared	Shared	Shared (i.e. RI Higher Education Assistance Authority, etc.)

## Community Living Services

<b>COMMUNITY LIVING SERVICES</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Daily Living Skills Training (prior to Graduation)	Primary	Minimal	Minimal
Daily Living Skills Training (Post-Graduation)	Minimal	Minimal	Primary
Residential Services (Post-Graduation) <ul style="list-style-type: none"> <li>- Respite Services</li> <li>- Community-Supported Living Arrangement</li> <li>- Semi-Independent</li> <li>- Fully Supervised</li> </ul>	Minimal	Minimal	Primary
Personal Support for Community Living (e.g. Personal Care Attendant) (Post-Graduation)	Minimal	Minimal	Primary
Disability/Symptom Management	Minimal	Minimal	Primary
Health Care Management	Minimal	Minimal	Primary

## Related Services

<b>RELATED SERVICES</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Occupational Therapy, Physical Therapy, Psychological Services and Communication/ Speech & Language Services (Post-Graduation)	Minimal	Shared	Shared
Mental Health Services  - Individual Counseling - Family Counseling - Care Management	Minimal	Minimal	Primary (i.e. MHRH/DCIMHS, etc.)
Transportation  - Drivers Education - Adaptive Driver Training - Public Transportation Skill Training - Vehicle Modification	Primary Minimal  Shared  Minimal	Minimal Primary  Shared  Primary	Minimal Minimal  Shared  Minimal
Service Coordination	Shared	Shared	Shared

## Assistive Technology (AT) Services

<b>ASSISTIVE TECHNOLOGY</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Assessment for Instruction	Primary	Minimal	Minimal
Assessment for Employment	Minimal	Primary	Minimal
Provision of AT in Education	Primary	Minimal	Minimal
Provision of AT in Employment	Minimal	Primary	Primary (i.e. Employer)
Provision of AT in Post- Secondary Education/Training	Minimal	Shared	Shared (i.e. Post- Secondary Education)

## Auxiliary Aid Services

<b>AUXILIARY AIDS (e.g. reader, interpreter, note taker, etc.)</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
In Public Education	Primary	Minimal	Minimal
For Job Training	Shared	Shared	Shred
For Post-Secondary Education	Minimal	Shared	Shared (i.e. Higher Education)
For Ongoing Employment	Minimal	Shared (time limited)	Shared (i.e. Employer, etc.)

## Miscellaneous Services

<b>MISCELLANEOUS</b>	<b>LOCAL EDUCATION AGENCY</b>	<b>OFFICE OF REHABILITATION SERVICES</b>	<b>OTHER COMMUNITY/ADULT SERVICE AGENCIES</b>
Tools, Uniforms, Licenses	Minimal	Shared	Shared (i.e. Employer)
Accessibility Modifications	Minimal	Shared	Shared (i.e. Employer)
Parent Information	Shared	Shared	Shared